

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

SANDY JO BATTISTA,

Plaintiff,

v.

Civil Action No.
05-11456-DPW

KATHLEEN M. DENNEHY,
Commissioner, ROBERT MURPHY,
Superintendent; STEVEN FAIRLY,
Director of Security; SUSAN J. MARTIN,
Director of Health Services; GREGORY J.
HUGHES, LICSW; and UMASS
CORRECTIONAL HEALTH PROGRAM,
sued in the individual and official capacities,

Defendants.

SANDY J. BATTISTA,

Plaintiff,

v.

Civil Action No.
05-12383-DPW

ROBERT MURPHY,
Defendant.

JOINT STATUS REPORT

Pursuant to Fed. R. Civ. P. 16(b) and this Court's November 16, 2007 Order, the remaining parties in the above-referenced consolidated action, Plaintiff Sandy J. Battista and the Defendant personnel of the Massachusetts Department of Corrections —Kathleen Dennehy, Robert Murphy, Steve Fairly, Susan J. Martin and Gregory J. Hughes— have conferred and hereby submit the following joint status report. Defendant UMass Correctional Health Program ("UMCHP") has been dismissed from this action pursuant to this Court's March 3, 2006 Order and is not a signatory to this report.

1. Plaintiff shall file an amended complaint in this consolidated action by January 7, 2008. Defendants shall file a responsive pleading within twenty (20) days of Plaintiff's filing of the amended complaint.

2. The Parties agree that it is unlikely that any additional parties will be joined.

3. The Parties have conferred regarding the scope and timeline of anticipated discovery. Discovery will encompass paper documents, depositions and expert discovery. The Parties propose the following discovery schedule:

<u>Date</u>	<u>Event</u>
1/4/2007	Fed. R. Civ. P. 26(a) disclosures due
4/18/2008	All non-expert discovery, including depositions, to be completed
4/18/2008	Disclosure of experts and expert reports (if any)
5/16/2008	Disclosure of rebuttal experts and rebuttal expert reports (if any)
6/13/2008	All expert discovery, including depositions, to be completed
7/11/2008	All dispositive motions to be filed

4. The Parties believe that a trial, if necessary, should commence within two months after the Court issues a decision on the parties' summary judgment motions and will take approximately one week.

Respectfully submitted,

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Robert Murphy, Steve Fairly, Susan J.
Martin, Gregory J. Hughes*

Dated: December 5, 2007

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on December 5, 2007.

/s/ Neal E. Minahan

Neal E. Minahan

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